

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
FUND FOR NORTHERN CALIFORNIA,

No. C-07-1740 EMC

Plaintiff,

**ORDER SETTING CASE
MANAGEMENT CONFERENCE**

v.

DOCTORS MEDICAL CENTER OF
MODESTO, INC., *et al.*,

Defendants.

On March 27, 2007, Plaintiff filed suit against Defendants Doctors Medical Center for Modesto, Inc. and American Arbitration Association, Inc. ("AAA"). According to a proof of service submitted by Plaintiff, AAA was served with the summons and complaint on March 29, 2007.

AAA did not respond to the complaint or otherwise make an appearance. Accordingly, on April 19, 2007, Plaintiff moved for entry of default with respect to AAA. On May 3, 2007, the AAA sent a letter to counsel for Plaintiff, informing it that AAA would not be appearing or otherwise participating in the litigation because the litigation was "improperly commenced against AAA." AAA asserted that arbitral organizations such as itself are immune from suits such as the one brought by Plaintiff.


In light of the above situation, the Court hereby schedules an expedited case management conference for **May 16, 2007, at 2:30 p.m.** The Court shall permit AAA to make a special appearance for the case management conference (*i.e.*, such appearance shall not be deemed a general appearance).

1 The parties need not file a Case Management Conference statement in advance of this
2 hearing.

3 Plaintiff is ordered to immediately serve a copy of this order on AAA. Service must be
4 accomplished so that the order is received by AAA no later than May 11, 2007.

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6 IT IS SO ORDERED.

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8 Dated: May 8, 2007

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11 EDWARD M. CHEN
12 United States Magistrate Judge
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